



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8  
999 18<sup>TH</sup> STREET - SUITE 300  
DENVER, CO 80202-2466  
Phone 800-227-8917  
<http://www.epa.gov/region08>

Ref: 8ENF-W

CERTIFIED MAIL 7003 2260 0001 7779 0858  
RETURN RECEIPT REQUESTED

Kevin Brown, Director  
Division of Drinking Water  
Utah Department of  
Environmental Quality  
P.O. Box 144810  
Salt Lake City, UT 84114-4810

NOTICE OF VIOLATION

Docket No. **SDWA-08-02004-00041**

Daniel Domestic Water Company  
2567 South Daniel Road  
Heber City, Utah 84032  
PWS# UTAH26005

Dear Mr. Brown:

The above referenced public drinking water system has violated certain provisions of the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f, et seq. and the National Primary Drinking Water Regulations at 40 C.F.R. part 141. The violations consist of failure to monitor volatile organic chemical; failure to monitor pesticides; failure to monitor nitrate; failure to submit a disinfectant byproduct sampling plan; failure to provide public notice of the violations; and failure to notify the State of the violations. Our records, obtained from the Utah Department of Environmental Quality (DEQ), indicate the violations noted below. Please notify Kathelene Brainich of my staff at (303) 312-6481 within 20 days if your records show any discrepancies with these determinations of violation.

Date of  
Violation

Violation

1999 - 2003

Failure to monitor for volatile organic chemicals

3<sup>rd</sup> quarter 1999 -  
2<sup>nd</sup> quarter 2004

Failure to monitor for pesticides



Printed on Recycled Paper

2003	Failure to monitor for nitrate
2004	Failure to submit disinfectant byproduct sampling plan
1999 - 2003	Failure to provide public notice of violations
1999 - 2003	Failure to report violations to the State.

This NOTICE OF VIOLATION is issued pursuant to section 1414(a) of the SDWA, 42 U.S.C. § 300g-3(a). If the State does not commence appropriate enforcement action within 30 days from the receipt of this notification, the EPA is authorized either to issue an Administrative Order under section 1414(g) of the SDWA, 42 U.S.C. § 300g-3(g), requiring the public water system to comply with the regulations or other requirements, or to commence civil action under section 1414(b) of the SDWA, 42 U.S.C. § 300g-3(b).

A copy of this NOTICE OF VIOLATION has been concurrently sent to the system identified above. Also enclosed for the benefit of the system is a copy of EPA's Small Business Regulatory Enforcement and Fairness Act (SBREFA) fact sheet containing information on compliance assistance resources and tools available to small businesses. EPA has agreed to notify small businesses of their right to comment on regulatory enforcement activities at the same time of an Agency enforcement action. SBREFA does not eliminate a Respondent's responsibility to comply with the Act.

Please inform EPA of any change in the compliance status of this system. You may wish to confer with my staff to determine the Agency's position concerning this system and to exchange appropriate information. If the State does not commence appropriate enforcement action within 30 days from the receipt of the notification, EPA will proceed with issuance of an administrative order. Our technical contact is Kathelene Brainich at (303) 312-6481.

Sincerely,

**SIGNED**

Diane L. Sipe, Director  
Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

**SIGNED**

David J. Janik, Supervisory Attorney  
Legal Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

Enclosure

cc: Gary Walton, Daniel Domestic Water Company  
Darwin McGuire, Daniel Domestic Water Company  
Ken Bousfield, UT DEQ DW

**THIS DOCUMENT WAS FILED IN THE REGIONAL HEARING CLERK'S OFFICE  
ON AUGUST 19, 2004.**